

# LOUDOUN COUNTY PLANNING COMMISSION

## ACTION SUMMARY

THURSDAY, FEBRUARY 12, 2009

6:00 P.M.      WORKSESSION

LOCATION: PURCELLVILLE ROOM  
Government Center  
1<sup>st</sup> Floor

**Commissioners Present:** Peggy Maio, Chairman, Blue Ridge District; Robert Klancher, Vice-Chairman, Broad Run District; Erin Austin, Catoctin District; Chris Brodrick, Potomac District; Sandra Chaloux, Dulles District; Michael Keeney, Sugarland Run District; Gigi Robinson, Leesburg District; Christeen Tolle, At Large.

**Commissioners Absent:** Helena Syska, Sterling District.

**Staff Present:** Julie Pastor, Director of Planning; John Merrithew, Assistant Director of Planning; Van Armstrong, Program Manager, Land Use Review; Cindy Keegan, Program Manager, Community Planning; Mark Stultz, Assistant Zoning Administrator; Patrick Ryan, Economic Development; Art Smith, Office of Transportation Services; Planners: Judi Birkitt, Michael Elabarger, Pat Giglio, Marchant Schneider, Nicole Steele; Nancy Bryan, Recording Secretary.

### 1. ACTION SUMMARY REVIEW

- a. Review of the Action Summary of January 29, 2009 was deferred to a later date.

### 2. DISCLOSURES

- a. Ms. Tolle met on 2/12/09 regarding the Dulles 28 Centre application with Ann Goode and Ben Tompkins of Reed Smith, and Art Fucillo with Lerner Corporation.
- b. Mr. Klancher had a phone conversation with the counsel for the Kincora application.
- c. Ms. Chaloux met on 2/12/09 with the Dulles 28 Centre applicants and with the West Spine Plaza applicants; had a phone conversation with John Litzenberger, Sully District Planning Commissioner – provided them a copy of the Transportation Plan and map to get their input; reached out to Martha Henley, Prince William County, Gainesville District Planning Commissioner, and provided a copy of our Draft Plan and map as well.
- d. Ms. Maio had a phone call from Mike Romeo regarding the Dulles Parkway Center Sign Package application on February 10, 2009.
- e. Mr. Keeney spoke to Pat Turner on 2/12/09 regarding bicycle advocacy.

### 3. BRIEFING ITEMS

#### a. SPEX 2008-0046, ROMANOSKI PROPERTY

Items for further discussion include the maximum allowable size of an accessory dwelling; driveway materials; stormwater management/best management practices; traffic concerns; maintenance of Mountainhouse Lane; impacts of the drainfield in the highly sensitive area; applicant response to a tree conservation area and low impact design; possible condition limiting the size of the buildings. *Staff Contact: Judi Birkitt*

**b. SPEX 2008-0022, CIDER MILL KENNEL**

Items for further discussion include calls from neighbors; business operations regarding trainers, dogs, and classes; hours of operation and lighting hours Condition; lighting regulations for a residential use; distance to neighboring properties; aerial view of the vicinity; location of the outdoor training area; VDOT commercial entrance; retention of the half-circle driveway; monitoring of the outdoor training area; location of the proposed driveway in the 50' buffer; limits on animals in kennels; examples of similar kennels in the County; modification of Condition #12 to restrict parking; status of the kennel application; noise study update; identification of well and drainfield locations and status. *Staff Contact: Michael Elabarger*

**c. DULLES 28 CENTRE**

Items for further discussion include identification of the 50' management buffer to River and Stream Corridors/Steep Slopes on the site; minimum commitments to hotel and office development; location of hotel and office development on the CDP; commitment to site design elements noted in Community Planning referrals; updated traffic study to include extension of Pacific Boulevard; signalization needs; commitment to CTP trail design west of Pacific Boulevard; an existing conditions map; extension of the decision deadline; resolution of outstanding issues prior to the next Planning Commission worksession; consideration for putting the application on hold until completion of the Route 28 Corridor Study. *Staff Contact: Marchant Schneider*

**d. REVIEW AND RENEWAL, MODIFICATION OR TERMINATION OF THE NEW LUCKETTS AGRICULTURAL AND FORESTAL DISTRICT**

There were no items for further discussion. *Staff Contact: Patrick Ryan*

**e. LOUDOUN WATER BRIEFING**

Rick Thoesen, Deputy General Manager, Loudoun Water introduced Loudoun Water staff in attendance: Kevin Wood, Director of Engineering; Tim Coughlin, Deputy Director of Engineering; Beate Wright, Program Manager, and Karen Arnold, Planner.

Loudoun Water currently serves 175,000 people. Based on County population projections, that number will double over the next thirty to forty years, therefore, Loudoun Water has spent a considerable amount of time planning for a sustainable water supply. One of Loudoun Water's guiding conditions is a policy called Integrated Water Resource Planning, which is a commitment to their customers and to the County for a reliable, sustainable, affordable water supply with protection for the environment and providing energy efficiency and redundancy.

Loudoun Water currently purchases 100% of their water; 50 MGD from the Fairfax County Water Authority, and they have contractual rights for 7 MGD at the City of Fairfax's Goose Creek Water System. However, stream flow in Goose Creek has been severely diminished in recent dry years and Loudoun Water can only expect up to 3 MGD reliably from this source. Due to the safe yield and contractual limitations, the Goose Creek Water Supply System does not satisfy the long-term water supply needs

of Loudoun Water. This is a key reason why Loudoun Water is looking at the Potomac River. The Potomac River has an annual average daily flow of six billion gallons a day.

The concept that has been developed is called Water Banking, which Loudoun Water has been working on over the last twenty years, where water would be pulled from the Potomac River and put into a quarry, which would be filled in good times of river flow. The Potomac is full of water at least 95% of the time. In times of need, water would be pulled from the quarry, not the river. Some of the general concepts of water banking are in the Revised General Plan. A partnership has been formed with Luck Stone, the owner of quarries in the Goose Creek Valley area. They have a shared interest with compatible land use and reusing the retired quarries.

An independent consultant study last year looked at long-term energy and costs with continuing to push water uphill to Loudoun versus pulling it out at the Potomac and putting it at Loudoun Water's site near the Greenway. It was determined that the most cost-effective, environmentally responsible option for serving a larger customer base is to go to the Potomac River and use the quarries for water banking. This gives Loudoun its own water treatment plant and, therefore, eliminates dependency on others for water supply.

Loudoun Water considers their plan to be a long-term, sustainable one that is very consistent with the Revised General Plan. It provides a second valuable life for quarries, is cost-effective, environmentally responsible, and would be an open space resource for Loudoun County.

#### **4. ZMOD 2008-0011, DULLES PARKWAY CENTER SIGN PLAN**

The Planning Commission forwarded ZMOD 2008-0011, Dulles Parkway Center Sign Plan to a future Planning Commission Committee of the Whole meeting. (8-0-1, Syska absent).

*Staff Contact: Nicole Steele*

Items for further discussion include the establishment of a hierarchy regarding square footage; scale; height, width, and square feet of interior signs; size for pedestrian area of TRC; condition illustrative – break out TRC section of sign package until it is resolved; precedent for having tenants on office sign; illustrative comparable to Arcola Center's streetscape design; revisit monument signs for banks (applicant provide information to support).

#### **5. ZOAM 2008-0002, PROPOSED ZONING ORDINANCE AMENDMENT TO PERMIT CHILD CARE HOME AND CHILD CARE CENTER AS RURAL HAMLET PERMITTED AND SPECIAL EXCEPTION USES**

- Gail Shivers, Widmar Farms resident, commented on the application
- Carleen McCarthy, Widmar Farms resident, commented on the application
- Alison Frederick, EcoVillage resident, commented on the application
- Tina Meadows O'Rear, EcoVillage resident, commented on the application

Peggy Maio moved, seconded by Bob Klancher, that the Planning Commission forward ZOAM 2008-0002 with a recommendation for approval to amend the Revised 1993 Loudoun County Zoning Ordinance as follows: (1) Revise Section 5-702(D)(1) of the Rural Hamlet regulations to add "Child Care Home, subject to the additional regulations in Section 5-609", to the list of permitted uses for the building area of hamlet and conservancy Lots. And further, to amend

Section 2-106(B) of the AR-1 Zoning District regulations and Section 2-206(B) of the AR-2 Zoning District regulations to clarify that “requirements” for Rural Hamlets includes “uses”. And to clarify that Rural Hamlets shall follow the Rural Hamlet requirements, including uses, as set forth in this Ordinance. And further, that the Planning Commission recommends to the Board of Supervisors that we review the Child Care Home Ordinance. And further, staff will post a notice of public hearing at each hamlet at least 21 days in advance of the Board of Supervisors public hearing, and further, will provide a second mailing notice to the corrected Hamlet HOA addresses. (6-2-1, Chaloux, Robinson opposed; Syska absent).

Ms. Maio moved, seconded by Mr. Keeney, that the Planning Commission forward ZOAM 2008-0002 to the Board of Supervisors with a recommendation of denial to add Section 5-702(D)(3) to the Rural Hamlet regulations to allow Child Care Center subject to the additional regulations in Section 5-609 as a special exception use in the commonly owned open space of the Rural Hamlet. (5-3-1, Austin, Brodrick, Klancher opposed; Syska absent).

*Staff Contact: Mark Stultz*

Findings for Denial:

1. In clusters, both Rural and Suburban, commonly held open space is for the purposes of having a natural area, or passive recreation, or active recreation. Child Care Center is none of those.
2. There is a Zoning Administration ruling that a “Common House” is an accessory use in open space, which opens all clusters to a use that is not in the definition of open space in the Zoning Ordinance because it is a business not related to active or passive recreation.

**6. INFORMATION – NEXTEL SILO-PHILOMONT/WATERMILL ROAD**

The Planning Commission received a packet item regarding the Nextel Silo-Philomont/Watermill Road cell tower application. The previous Planning Commission heard this item, concluding with the recommendation to go to worksession to consider an alternate site.

The first worksession of the current Planning Commission to hear the application will be a public input session. A new public hearing is not required. A stand-alone ad regarding the public input session will be run in the *Blue Ridge Leader* and *Purcellville Gazette*.

**7. COUNTYWIDE TRANSPORTATION PLAN – SCHEDULE**

Two briefings are proposed. The first, on February 26, 2009, will be an overview briefing of the Transit Plan as well as a briefing on the Bicycle and Pedestrian Plan. The second, on March 5, 2009, will be a briefing of the modeling and the existing conditions of the CTP, projections; and also, a briefing by the Dulles Greenway representatives.

As requested by the Commission, OTS is preparing the existing conditions map, as well as the maps for the Level of Service 2001 test; projections for 2030; and the enlarged map with overlay.

## 8. NEW BUSINESS

1. Ms. Robinson suggested the following:
  - On the Planning Commission Agendas, under the “New Business” item, add a running list of New Business topics, which will include a description of the item, the Commissioner requesting the item, the date that the item was requested, and the date the item closed.
  - Work to go forward to the Board with the Child Care Home ZOAM, to tighten the language and align with Home Occupation and Small Schools, and the definition of number of children, operation of hours, etc. so that all home businesses are treated equally. (Ms. Robinson will draft a letter to the Board)
  - Staff Report alterations:
    - a. Under “Executive Summary” at the bottom, add “this is governed by the policies of the Revised General Plan, Chapter and Policy #, and also under the same, “this application is subject to the Revised 1993 Ordinance Section #s, or the 1972 Section #s, or the County Transportation Plan Section #s, etc.
    - b. Under “Suggested Motions” add three possibilities: (1) Forward with approval; (2) Forward for further discussion; (3) Forward with denial.
    - c. If a lot of items are being approved, make 2 pages of the same list to pick and choose what we’re saying yes to.
    - d. Under the summary of discussion grid, list coordinating attachments that show history and status of issues.
2. Ms. Chaloux requested that in conjunction with the Route 28 CPAM the Planning Commission invite Land Use Planners from the Town of Herndon and Fairfax County to discuss their segments of Route 28 and their current zoning.